GAMMAGE & BURNHAM
A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW
TWO NORTH CENTRAL AVENUE
EIGHTEENTH FLOOR
PHOENIX, ARIZONA 85004

RICHARD B. BURNHAM
MICHAEL R. KING
CURTIS ULLMAN
THOMAS J. McDONALD
KEVIN R. MERRITT
KEVIN J. BLAKLEY
JEFFREY J. MILLER
SUSAN L. WATCHMAN
STEPHEN W. ANDERSON
JAMES P. O'SULLIVAN
TIMOTHY J. MARTENS
LISA T. HAUSER
GEORGE U. WINNEY III
LEONARD W. ARAGON
SUSAN V. MYERS

GRADY GAMMAGE, JR.
RICHARD K. MAHRLE
MARY B. ARTIGUE
JAMES A. CRAFT
RANDALL S. DALTON
JOHN R. DACEY
CAMERON C. ARTIGUE
STEPHEN R. BOATWRIGHT
CHRISTOPHER A. WOMACK
JERRY D. WORSHAM II
BRUCE T. NEEL
KAREN GILLEN
ANTHONY J. MEIER
ALICIA M. CORBETT

OF COUNSEL:
F. WILLIAM SHEPPARD
DIANE K. GEIMER

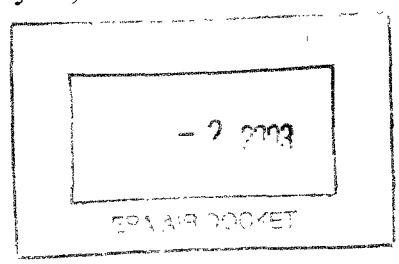
20TH ANNIVERSARY
1983-2003

TELEPHONE (602) 256-0566
FACSIMILE (602) 256-4475

WRITER'S DIRECT LINE

(602) 256-4452
jworsham@gblaw.com

May 27, 2003



General Provisions Docket, Category VI,
Part 63 General Provisions (Subpart A)
Pollution Prevention Compliance
Alternative Amendments EPA Docket
Center (Air Docket) U.S. EPA West
(MD-6102T), Room B-108
1200 Pennsylvania Avenue, N.W.,
Washington, D.C. 20460

Re: Proposed Rule – NESHAP: General Provisions
Docket I.D. No. OAR-2002-0044
68 FR 26249 (May 15, 2003)

Dear Sirs:

In response to the captioned proposed rule, I provide the following comment to a reference at 68 FR 26250 under "Surface Coating Processes" and request clarification/confirmation. The captioned proposed rule, after formal adoption, should properly reference and apply to the source category of Part 63 subpart 0000 "Printing Coating and Dyeing of Fabrics and Other Textiles" (emphasis added). This National Emission Standards for Hazardous Air Pollutants (NESHAP) applies to Hazardous Air Pollutant (HAP) – emitting operations performed on textile substrates including, but not limited to, fabrics. (See 67 Fed. Reg. 46028 (July 11, 2002).

Contact me at (602) 256-4452 if you have any questions.

Sincerely,

GAMMAGE & BURNHAM P.L.C.

By
Jerry D. Worsham II

JDW/AC
Enclosures
cc: Gary Bacon – Malcolm Pirnie

Ferrous Metals Processing

Coke By-Product Plants
Coke Ovens: Charging, Top Side, and Door Leaks
Coke Ovens: Pushing, Quenching, Battery Stacks
Ferroalloys Production: Silicomanganese and Ferromanganese
Integrated Iron and Steel Manufacturing
Iron Foundries Electric Arc Furnace (EAF) Operation
Steel Foundries
Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration

Mineral Products Processing

Alumina Processing
Asphalt Concrete Manufacturing
Asphalt Processing
Asphalt Roofing Manufacturing
Asphalt/Coal Tar Application—Metal Pipes
Clay Products Manufacturing
Lime Manufacturing
Mineral Wool Production
Portland Cement Manufacturing
Refractories Manufacturing
Taconite Iron Ore Processing
Wool Fiberglass Manufacturing

Petroleum and Natural Gas Production and Refining

Oil and Natural Gas Production
Natural Gas Transmission and Storage
Petroleum Refineries—Catalytic Cracking (Fluid and other) Units, Catalytic Reforming Units, and Sulfur Plant Units
Petroleum Refineries—Other Sources Not Distinctly Listed

Liquids Distribution

Gasoline Distribution (Stage 1)
Marine Vessel Loading Operations
Organic Liquids Distribution (Non-Gasoline)

Surface Coating Processes

Aerospace Industries
Auto and Light Duty Truck
Large Appliance
Magnetic Tapes
Manufacture of Paints, Coatings, and Adhesives
Metal Can
Metal Coil
Metal Furniture
Miscellaneous Metal Parts and Products
Paper and Other Webs
Plastic Parts and Products
Printing, Coating, and Dyeing of Fabrics
Printing/Publishing
Shipbuilding and Ship Repair
Wood Building Products
Wood Furniture

Waste Treatment and Disposal

Hazardous Waste Incineration
Municipal Landfills
Off-Site Waste and Recovery Operations
Publicly Owned Treatment Works (POTW) Emissions
Sewage Sludge Incineration
Site Remediation
Solid Waste Treatment, Storage and Disposal Facilities (TSDF)

Agricultural Chemicals Production

Pesticide Active Ingredient Production

Fibers Production Processes

Acrylic Fibers/Modacrylic Fibers Production
Rayon Production
Spandex Production

Food and Agriculture Processes

Manufacturing of Nutritional Yeast
Cellulose Food Casing Manufacturing
Vegetable Oil Production

Pharmaceutical Production Processes

Pharmaceuticals Production

Polymers and Resins Production

Acetal Resins Production
Acrylonitrile-Butadiene-Styrene Production
Alkyd Resins Production
Amino Resins Production
Boat Manufacturing
Butyl Rubber Production
Carboxymethylcellulose Production
Cellophane Production
Cellulose Ethers Production
Epichlorohydrin Elastomers Production
Epoxy Resins Production
Ethylene-Propylene Rubber Production
Flexible Polyurethane Foam Production
Hypalon (tm) Production
Maleic Anhydride Copolymers Production
Methylcellulose Production
Methyl Methacrylate-Acrylonitrile-Butadiene-Styrene Production
Methyl Methacrylate-Butadiene-Styrene Terpolymers Production
Neoprene Production
Nitrile Butadiene Rubber Production
Nitrile Resins Production
Non-Nylon Polyamides Production
Phenolic Resins Production
Polybutadiene Rubber Production
Polycarbonates Production
Polyester Resins Production
Polyether Polyols Production
Polyethylene Terephthalate Production
Polymerized Vinylidene Chloride Production
Polymethyl Methacrylate Resins Production
Polystyrene Production
Polysulfide Rubber Production
Polyvinyl Acetate Emulsions Production
Polyvinyl Alcohol Production
Polyvinyl Butyral Production
Polyvinyl Chloride and Copolymers Production
Reinforced Plastic Composites Production
Styrene-Acrylonitrile Production
Styrene-Butadiene Rubber and Latex Production

Production of Inorganic Chemicals

Ammonium Sulfate Production—Caprolactam By-Product Plants
Carbon Black Production
Chlorine Production
Cyanide Chemicals Manufacturing
Fumed Silica Production
Hydrochloric Acid Production
Hydrogen Fluoride Production
Phosphate Fertilizers Production
Phosphoric Acid Manufacturing
Uranium Hexafluoride Production

Production of Organic Chemicals

Ethylene Processes
Quaternary Ammonium Compounds Production
Synthetic Organic Chemical

Miscellaneous Processes

Benzyltrimethylammonium Chloride Production
Butadiene Dimers Production
Carbonyl Sulfide Production
Cellulosic Sponge Manufacturing
Chelating Agents Production
Chlorinated Paraffins
Chromic Acid Anodizing
Commercial Dry Cleaning (Perchloroethylene)—Transfer Machines
Commercial Sterilization Facilities
Decorative Chromium Electroplating
Dry Cleaning (Petroleum Solvent)
Ethylidene Norbornene Production
Explosives Production
Flexible Polyurethane Foam Fabrication Operations
Friction Products Manufacturing
Halogenated Solvent Cleaners
Hard Chromium Electroplating
Hydrazine Production
Industrial Cleaning (Perchloroethylene)—Dry-to-dry Machines
Industrial Dry Cleaning (Perchloroethylene)—Transfer Machines
Industrial Process Cooling Towers
Leather Tanning and Finishing Operations
OBPA/1,3-Diisocyanate Production
Paint Stripping Operations
Photographic Chemicals Production
Phthalate Plasticizers Production
Plywood and Composite Wood Products
Polyether Polyols Production
Pulp and Paper Production
Rubber Chemicals Manufacturing
Rubber Tire Manufacturing
Semiconductor Manufacturing
Symmetrical Tetrachloropyridine Production

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[FRL–7237–1]

RIN 2060–AG98

National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This action proposes national emission standards for hazardous air pollutants (NESHAP) for fabric and other textile coating, printing, slashing, dyeing, and finishing operations, pursuant to section 112(d) of the Clean Air Act (CAA). This action also revises the title of the source category. The Printing, Coating and Dyeing of Fabrics source category was included in the initial list of categories of hazardous air pollutants (HAP), published in the **Federal Register** on July 16, 1992. This action changes the title of the source category to Printing, Coating, and Dyeing of Fabrics and Other Textiles, to clarify the applicability of the proposed NESHAP to HAP-emitting operations performed on textile substrates including, but not limited to, fabric.

The EPA has estimated that there are approximately 135 major source facilities in the Printing, Coating, and Dyeing of Fabrics and Other Textiles source category. The principal HAP emitted by these affected sources include toluene, methyl ethyl ketone (MEK), methanol, xylenes, methyl isobutyl ketone (MIBK), methylene chloride, n-hexane, trichloroethylene, and n,n-dimethyl formamide. Secondary HAP emitted include 1,1,1-trichloroethane, naphthalene, ethyl benzene, glycol ethers (ethylene glycol), biphenyl, and styrene.

Exposure to these substances has been demonstrated to cause adverse health effects such as irritation of the eye, lung, and mucous membranes, effects on the central nervous system, and damage to the liver. The EPA has classified two of the HAP as probable or possible human carcinogens. In general, these adverse health effect findings have only been shown with concentrations higher than those typically in the ambient air. The proposed standards would reduce nationwide HAP emissions from major sources by approximately 60 percent. The reduction in HAP emissions would be achieved by requiring all fabric and other textiles coating, printing, slashing, dyeing, and finishing operations at major sources to meet the HAP emission standards reflecting the application of the maximum achievable control technology (MACT). Emission reductions achieved by these standards, when combined with the emission reductions achieved by other similar standards, would protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare, protect the environment, and achieve a primary goal of the CAA.

DATES: *Comments.* Submit comments on or before September 9, 2002.

Public Hearing. If anyone contacts the EPA requesting to speak at a public hearing, they should do so by July 31, 2002. If requested, a public hearing will be held within approximately 30 days following publication of this document in the **Federal Register**.

ADDRESSES: *Comments.* By U.S. Postal Service, send comments (in duplicate if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A–97–51, U.S. EPA, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. In person or by courier, deliver comments (in duplicate if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A–97–51, U.S. EPA, 501 M Street, SW., Room M–1500, Washington, DC 20460. The EPA requests a separate copy also be sent to the contact person listed in **FOR FURTHER INFORMATION CONTACT**.

Public Hearing. If a public hearing is held, it will be held at the new EPA facility complex in Research Triangle Park, North Carolina. You should contact Ms. Janet Eck, Coatings and Consumer Products Group (C539–03), Emission Standards Division, U.S. EPA, Research Triangle Park, NC 27711, telephone number (919) 541–7946, to request to speak at a public hearing or to find out if a hearing will be held.

Docket. Docket No. A–97–51 contains supporting information used in developing the proposed standards. The docket is located at the U.S. EPA, 401 M Street, SW., Washington, DC 20460 in Room M–1500, Waterside Mall (ground floor), and may be inspected from 8:30 a.m. to 5:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Vinson Hellwig, Coatings and Consumer Products Group (C539–03), Emission Standards Division, U.S. EPA, Research Triangle Park, NC 27711; telephone number (919) 541–2317; facsimile number (919) 541–5689; electronic mail (e-mail) address: *hellwig.vinson@epa.gov*.

SUPPLEMENTARY INFORMATION:

Comments. Comments and data may be submitted by e-mail to: *a-and-r-docket@epa.gov*. Electronic comments must be submitted as an ASCII file to avoid the use of special characters and encryption problems and will also be accepted on disks in WordPerfect® file format. All comments and data submitted in electronic form must note the docket number: A–97–51. No confidential business information (CBI) should be submitted by e-mail. Electronic comments may be filed online at many Federal Depository Libraries.

Commenters wishing to submit proprietary information for consideration must clearly distinguish such information from other comments and clearly label it as CBI. Send submissions containing such proprietary information directly to the following address, and not to the public docket, to ensure that proprietary information is not inadvertently placed in the docket: Mr. Vinson Hellwig, c/o OAQPS Document Control Officer (C404–02), U.S. EPA, Research Triangle Park, NC 27711. The EPA will disclose information identified as CBI only to the extent allowed by the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies a submission when it is received by EPA, the information may be made available to the public without further notice to the commenter.

Public Hearing. Persons interested in presenting oral testimony or inquiring as to whether a hearing is to be held should contact Ms. Janet Eck, Coatings and Consumer Products Group (C539–03), Emission Standards Division, U.S. EPA, Research Triangle Park, NC 27711; telephone number (919) 541–7946 at least 2 days in advance of the public hearing. Persons interested in attending the public hearing should also contact Ms. Eck to verify the time, date, and location of the hearing. The public hearing will provide interested parties the opportunity to present data, views, or arguments concerning these proposed emission standards.

Docket. The docket is an organized and complete file of all the information considered by EPA in the development of this rulemaking. The docket is a dynamic file because material is added throughout the rulemaking process. The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so that they can effectively participate in the rulemaking process. Along with the proposed and promulgated standards and their preambles, the contents of the docket

Subpart OOOO—National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles

What This Subpart Covers

§ 63.4280 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for fabric and other textiles printing, coating and dyeing facilities. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations.

§ 63.4281 Am I subject to this subpart?

(a) Except as provided in paragraph (c) of this section, the source category to which this subpart applies is the printing, coating, slashing, dyeing or finishing of fabric and other textiles, and it includes the subcategories listed in paragraphs (a)(1) through (3) of this section.

(1) The coating and printing subcategory includes any facility that coats or prints fabric or other textiles. Coating and printing operations are defined in § 63.4381. Coated and printed substrates are used in products including, but not limited to, architectural structures, apparel, flexible hoses, hot-air balloons, lightweight liners, luggage, military fabric, rainwear, sheets, tents, threads and V-belts. The coating and printing subcategory includes any fabric or other textile coating line that also performs coating on another substrate unless such coating is specifically exempted from this subpart by another NESHAP in this part.

(2) The slashing subcategory includes any facility with slashing operations as defined in § 63.4381. In the slashing process, sizing compounds are applied to warp yarn to bind the fiber together and stiffen the yarn to provide abrasion resistance during weaving.

(3) The dyeing and finishing subcategory includes any facility that dyes or finishes a fabric or other textiles. Dyeing and finishing operations are defined in § 63.4381. Dyed and finished textiles are used in a wide range of products including, but not limited to, apparel, carpets, high-performance industrial fabrics, luggage, military fabrics, outer wear, sheets, towels, and threads.

(b) You are subject to this subpart if you own or operate a new, reconstructed, or existing affected source, as defined in § 63.4282, that is a major source, is located at a major source, or is part of a major source of hazardous air pollutants (HAP). A major source of HAP emissions is any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit any single HAP at a rate of 9.07 megagrams (Mg) (10 tons) or more per year or any combination of HAP at a rate of 22.68 Mg (25 tons) or more per year.

(c) This subpart does not apply to coating, printing, slashing, dyeing, or finishing operations that meet the criteria of paragraphs (c)(1) through (3) of this section.

(1) Coating, printing, slashing, dyeing or finishing operations conducted at a source that uses only coating, printing, slashing, dyeing, finishing, thinning and cleaning materials that contain no organic HAP as determined according to § 63.4341.

(2) Coating, printing, slashing, dyeing, or finishing that occurs at research or laboratory facilities or that is part of janitorial, building, and facility maintenance operations.

(3) Coating, printing, slashing, dyeing, or finishing used by a facility and not for commerce, unless organic HAP emissions from the coating, printing, slashing, dyeing or finishing operations are as high as the major source HAP emissions specified in paragraph (b) of this section.

63.4282 What parts of my plant does this subpart cover?

(a) This subpart applies to each new, reconstructed, and existing affected source within each of the three subcategories listed in § 63.4281(a).

(b) The affected source for the coating and printing subcategory is the collection of all of the items listed in paragraphs (b)(1) through (5) of this section that are used in coating and printing operations. The regulated materials for the coating and printing subcategory are the coating, printing, thinning and cleaning materials used in the affected source.

(1) All web coating and printing equipment used to apply cleaning materials to a substrate to prepare it for coating or printing material application, to apply coating or printing materials to a substrate and to dry or cure the coating or printing materials, or to clean coating/printing operation equipment;

(2) All storage containers and mixing vessels in which coating, printing, thinning, or cleaning materials are stored or mixed;

(3) All manual and automated equipment and containers used for conveying coating, printing, thinning, or cleaning materials;

(4) All storage containers and all manual and automated equipment and containers used for conveying waste materials generated by a coating or printing operation; and

(5) All manual and automated equipment, structures, and/or devices(s) used to convey, treat, or dispose of wastewater streams or residuals.

(c) The affected source for the slashing subcategory is the collection of all of the items listed in paragraphs (c)(1) through (5) of this section that are used in slashing operations. The regulated materials for the slashing subcategory are the slashing materials used in the affected source.

(1) All slashing equipment used to apply and dry size on warp yarn;

(2) All storage containers and mixing vessels in which slashing materials are stored or mixed;

(3) All manual and automated equipment and containers used for conveying slashing materials;

(4) All storage containers and all manual and automated equipment and containers used for conveying waste materials generated by a slashing operation; and

(5) All manual and automated equipment, structures, and/or devices(s) used to convey, treat, or dispose of wastewater streams or residuals.

(d) The affected source for the dyeing and finishing subcategory is the collection of all of the items listed in paragraphs (d)(1) through (5) of this section that are used in dyeing and finishing operations. The regulated materials for the dyeing and finishing subcategory are the dyeing, finishing and cleaning materials used in the affected source.

(1) All dyeing and finishing equipment used to apply dyeing or finishing materials, to fix dyeing materials to the substrate, to rinse the textile substrate, to dry or cure the dyeing or finishing materials, or to clean dyeing/finishing operation equipment;

(2) All storage containers and mixing vessels in which dyeing, finishing or cleaning materials are stored or mixed;